UNITED
NATIONS

S

Security Council

Distr.
GENERAL

S/24583
23 September 1992

ORIGINAL: ENGLISH

LETTER DATED 22 SEPTEMBER 1992 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Please find enclosed the submission of the Government of the United States of America as required by paragraph 5 of Security Council resolution 771 (1992).

We are also attaching the Helsinki Watch report on war crimes in Bosnia and Herzegovina and the draft report of the Thompson Conference on Security and Cooperation in Europe mission to the detention camps in Bosnia and Herzegovina.* We encourage you to consider these documents as well.

I should be grateful if the present letter and its annex could be circulated as a document of the Security Council.

(Signed) Alexander F. WATSON
Ambassador
Deputy Representative

* These two reports may be consulted in room S-3520.

Annex

Submission of information to the United Nations Security Council in accordance with paragraph 5 of resolution 771 (1992)

INTRODUCTION

1. In paragraph 5 of resolution 771 (1992), the United Nations Security Council called upon States and international humanitarian organizations to collate substantiated information in their possession or submitted to them relating to the violations of humanitarian law, including grave breaches of the Geneva Conventions, being committed in the territory of the former Yugoslavia and to make this information available to the Council. The present report is in response to that request.

2. Paragraph 1 of resolution 771 (1992) reaffirms that all parties to the conflict in the territory of former Yugoslavia are bound to comply with their obligations under international humanitarian law and in particular the Geneva Conventions of 12 August 1949, a/ and that persons who commit or order the commission of grave breaches of the Conventions are individually responsible in respect of such breaches. Paragraph 2 of the resolution strongly condemns any violations of international humanitarian law, including those involved in the practice of "ethnic cleansing". The third preambular paragraph of the resolution lists some of the violations of international humanitarian law in the territory of the former Yugoslavia that have been reported: "mass forcible expulsion and deportation of civilians, imprisonment and abuse of civilians in detention centres, deliberate attacks on non-combatants, hospitals and ambulances, impeding the delivery of food and medical supplies to the civilian population and wanton devastation and destruction of property".

3. In collating substantiated information on violations of humanitarian law pursuant to paragraph 5 of resolution 771 (1992), the United States has focused on the violations identified in the resolution and other grave breaches as defined in article 147 of the fourth Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949. Consequently the information contained in the present report is categorized in accordance with the list of reported violations contained in resolution 771 (1992) as quoted above and the other grave breaches listed in article 147 of the fourth Geneva Convention that do not correspond to those mentioned in resolution 771 (1992) (i.e., wilful killing; torture or inhuman treatment; compelling a civilian or prisoner-of-war to serve in the forces of a hostile Power; wilfully depriving a civilian or prisoner-of-war the rights of fair and regular trial; and hostage taking).

4. The discrete incidents reported herein contain indications that they are part of a systematic campaign towards a single objective - the creation of an ethnically "pure" State. We have not identified "ethnic cleansing", which is condemned in paragraph 2 of resolution 771 (1992), as a separate category of

violations. Nevertheless, the rubric of ethnic cleansing may unite events that appear unconnected and may therefore prove useful in identifying persons and institutions that may be responsible for violations of established international humanitarian law.

5. The United States has obtained the information in the report from a variety of sources, including eyewitness accounts reported to the United States. Because resolution 771 (1992) calls upon international humanitarian organizations also to submit the substantiated information in their possession to the Council, the United States has mentioned but has not summarized the reports it has received from such organizations. Because press reports are matter of public knowledge and often are hearsay, the United States has described only such media reports in which the reporter stated that he/she personally witnessed violations of international humanitarian law. The United States has provided the most reliable information available to it and has relied to the extent possible on eyewitness accounts. Dates at the left margin of the attached report refer to approximate dates of incidents.

6. For the convenience of the Security Council, we have attached several relevant reports of the situation in the former Yugoslavia. The United States will, as appropriate, submit supplemental reports when additional information comes into its possession.

Notes

a/ United Nations, Treaty Series, vol. 75, Nos. 970-973.

Enclosure

Former Yugoslavia: grave breaches of the fourth Geneva Convention

WILFUL KILLING

25 Aug. At Manjaca prison camp, south of Banja Luka, 25 bodies of emaciated men, believed to be prisoners, were discovered with their throats cut. The camp was operated by the Serbian Army of Bosnia-Herzegovina under General Ratho Mladic. (Department of State)

24 Aug. A resident of Pososje, Bosnia, saw 24 men, 2 women, and 2 boys machine-gunned by Serbs in her neighbour's garden. (Reuters)

24 July A former inmate of the Serb-run Keraterm camp in Prijedor, in north-western Bosnia, said that more than 100 prisoners died, due to riots after prisoners were denied water for an unspecified time; most suffocated in a crowd of prisoners trying to escape through a window, others were shot while escaping or summarily executed for participating in the riots. (Department of State)

8 July Several hundred Muslim men were taken prisoner by Serb paramilitaries during a forced evacuation of Gacko, and 36 were murdered. (Department of State)

July A man interned at the Djakovo refugee camp witnessed the murder of an acquaintance with the handle of an axe or a pick. "He was over 55, and I saw him beaten ... with my own eyes." The guards in the camp wore fatigues and hats with Chetnik symbols. (Congress)

17 June A 37-year-old male from Doboj, the village of Pridjel Gornji, described the killing of seven people and the destruction of the mosque by Chetniks. "Some wore white bands; some wore red caps; some wore Yugoslav People's Army (JNA) uniforms. They beat us with rifle butts." (Congress)

June The Citizens Council of Kozarac appealed for international observers about 6 June claiming that a large-scale massacre had occurred in Kozarac and that truckloads of bodies had been taken away to cover up the crimes committed there. (Department of State)

27 May A 55-year-old woman from Kozarac was brought to a camp in Trnopolje on 27 May where she and a group of 300-400 witnessed the killing by machine-gun of Besic Jusuf (50), Karabasic Ismet (35), Ekrem Karabasic (25), Sejdo Karabasic (21) and Meho Vukanovic (25). "They (Chetniks and Serbs) killed them because they had haircuts that made them think they were Ustashi." (Congress)

26 May — About 200 Muslim refugees from Visegrad heading for Macedonia were turned back at the Mokra Gora border crossing into Serbia on 26 May. An employee of the bus company that was transporting the refugees said that the group was stopped outside Bosanska Jagodina later that day by a group of armed men, and that he saw 17 male refugees taken from the buses and "liquidated". The killers were members of two Serbian "volunteer" groups operating in the local Serb "territorial defence" formation, which had been systematically abducting and murdering Muslims in the region. (Department of State)

2-22 May — A man reliably believed to be a former inmate of the Serb-run Luka camp in Brcko described evidence of violence in the camp, including bloodstains. According to other inmates, he said, as many as 1,000 killings took place at Luka camp between 2 and 22 May, after which the bodies were buried in a mass grave near a livestock farm called Bimex-Brcko. (Department of State)

21 May — A 29-year-old woman from Kabljami, in the vicinity of Prijedor, on 21 May witnessed the killing of five or six policemen. "They also killed some men who possessed tractors." (Congress)

18 May — "I saw my father and mother being killed", said a resident of Kozarac. "Both were 67 years old." The killer was a 21-year-old neighbour. "He probably slaughtered 30 elderly people that day." (Congress)

16 May-14 July — A Muslim man, taken to Prnjavor camp in Bosnian Serb Krajina, described beatings by Serbian military police. He saw one man die during a beating on 17 May and another die on 6 June. The alleged killers were members of groups called White Eagles or White Wolves. (Congress)

7 May — A private citizen reported that he had visited a cattle slaughterhouse near Brcko, near the Luka camp. He heard screams and shots. He spoke with a survivor of the facility, who said that 100 to 300 persons were killed each day from 7 to 14 May. (Department of State)

7 May — A resident of Brcko told of mass killings during the first week of May when Brcko surrendered to Serb forces with little resistance. (Department of State)

2 May — A 38-year-old inmate at the Djakovo Refugee camp in Croatia said that she was taken on 9 May to Luka camp near Brcko, where she saw 10 people being killed every day with rifle butts and bottles. "Two prisoners were required to slap each other. The one who didn't slap as hard was killed. One time, I saw them cut off the ears of the weak slapper, then cut off his nose and then kill him by cutting his throat." (Congress)

May — Four relatives of a Bosnian refugee were chopped up by Cetniks and burned, according to testimony given on 21 May to the Carinthian provincial government of Austria. During the same testimony, the refugee described how the Cetniks had cut his cousin with razor blades and pulled off his skin with pliers. (Department of State)

May — A United States citizen, in the custody of Serbian forces after serving in the Croatian army, said that he saw Serbian soldiers torture a Croatian soldier to death in a camp near Bileca, Bosnia. He saw the same soldiers torture another group of Croatian prisoners; he saw one die being carried away. (Department of State)

10 Apr. — A Serb who had been married to a Bosnian Muslim told United States Embassy officers in Budapest on 9 September that several Yugoslav army tanks had come in to Zvornik on 10 April. About 30 masked irregulars, who she claimed belonged to a unit under "Arkan", conducted a house-to-house search for Muslim men by checking identity cards. The Serbs then allegedly cut off the heads, hands and feet of their victims. (Department of State)

TORTURE OF PRISONERS

6 Aug. — ITN and The Guardian reported on a visit by journalists to Trnopolje, in north-eastern Bosnia, where the journalists witnessed emaciated prisoners and were given smuggled pictures of men with terrible injuries from beatings allegedly inflicted by Serb soldiers at Omarska and other camps. (London Press Association)

July — A 62-year-old inmate described his 18-day ordeal at the Djakovo refugee camp in Croatia. "There were 199 of us in the camp. I know the number because I counted the pieces of bread that were given out. While in the camp, I was hit and beaten up. My legs were swollen, I had bruises on my face and my eyes were swollen. They would pour water on me and continue beating me." (Congress)

June-July — A 60-year-old man signed in as prisoner No. 519 in the Bosanski Samac camp. "They hit me with a stick and burned me with cigarettes. They would throw water on me to wake me up so they could continue the beatings. I got pneumonia because of the cold water." On the day he was released, he was beaten in the stomach. A certificate from Slavanski Brod Medical Centre showed that he was treated from 5 to 17 July for contusions, fractured ribs and psychotic depression. He had burn marks on his left arm and a large scar on the top of his head. (Congress)

Mar.-May Two American citizens who enlisted and served in the Croatian army were incarcerated from March to May in three separate prisoner-of-war camps during which time they were beaten daily with gun stocks. They also witnessed daily beatings of other prisoners. The prisoners were subjected to electric shock treatment, use of a "stun gun" and sexual assaults. Scars and bruises were still evident on at least one of the Americans when he was turned over to the United States ambassador in Belgrade. (Department of State)

ABUSE OF CIVILIANS IN DETENTION CENTRES

1 Sep. Congressman Frank Wolf visited a prison camp, operated by paramilitaries of the Serbian Democratic Party, at Batkovic. Reportedly 1,280 men were held in two grossly overcrowded sheds where they slept on straw. Most of the prisoners were apparently being held for no reason other than their ethnic identity. (Department of State)

30-31 Aug. Conference on Security and Cooperation in Europe mission member John Zerolis, a United States Foreign Service Officer assigned to the United States Embassy in Zagreb, inspected the Serb-run prison camp of Manjaca in north-west Bosnia. He observed several thousand prisoners, none of whom was wearing any form of uniform. At that time his group was told by prisoners that they were non-combatants, that they had been summoned from their homes or simply called to the door and that they were then arrested. Asked about attempted escapes from Manjaca, camp commander Lt. Col. Popovic said there had never been any, and there "never would be any". (Department of State)

14 Aug. "Tens - possibly scores" of women were confined uncomfortably in an overheated metal shed that appeared to be a former munitions warehouse in a disused Yugoslav army barracks outside Capljina run by Major Miro Hrstic of the Croatian Defence Association of the Party of Rights (HOS). In response to questions from journalists about the shed, Hrstic said, "Let that remain a secret." (London, The Guardian)

Aug. Serbian civilian inmates, including a pregnant woman and elderly people, are subjected to beatings at the former JNA Victor Bubanj barracks in Sarajevo, a camp run by Bosnian Muslims. (Belgrade's opposition weekly, Vreme)

Aug. Women inmates were raped while being held at the Croat-run Odzak camp, according to a Western reporter who interviewed Serb refugees. (Department of State)

15 July A Serbian artillery attack on Bosanski Brod killed nine and wounded over 30 at a nearby refugee centre. (Department of State)

26 May-26 June — A 43-year-old woman who was interviewed on 10 August at the Spnsko Water Facility near Zagreb had been taken on 26 May to Prijedor to the Trnoplje camp. During her 30-day captivity, "drunk soldiers came into the room to get women and girls as young as 12 and 13 ... the girls said they had been raped. Some of the girls didn't return." (Congress)

DELIBERATE ATTACKS ON NON-COMBATANTS

Aug.-8 Sep. — Rexhep Osmani, President of the Naim Frasheri Teachers' Association in Kosovo, has been in jail since mid-August facing undefined charges. Forty-one school administrators and teachers were "brutally treated" during the week of 1 September by Serb authorities. Serbian police "opened fire" against high-school students in early September at the PEC Technical School Shaben Spahija, according to Kosova education officials. (Department of State)

6 Sep. — A convoy of United Nations trucks carrying aid supplies to Bosnian civilians was mortared on 6 September. Snipers fired all day at United Nations personnel as they distributed food to people in Sarajevo. (Hamburg, German Press Agency)

5 Sep. — Serb militia, who control the main water reservoir outside of Sarajevo, were reducing water supplies to the city in "another attack on civilians", according to the deputy commander of the Bosnian forces. (Associated Press)

3 Sep. — Marco Betti, Cesare Buttaglieri, Giuliano Velardi, and Marco Rigliaco were killed on 3 September when their G-222 aircraft, which was carrying five tons of blankets to Sarajevo on a United Nations relief mission, was shot down by up to three ground-to-air missiles. (Rome, ANSA; London, The Independent)

WANTON DEVASTATION AND DESTRUCTION OF PROPERTY

4 Sep. — Destruction and damage to homes is occurring at the rate of hundreds each day, making them unsuitable for habitation during the winter, according to Anthony Land, Zagreb Programme Coordinator of the Office of the United Nations High Commissioner on Refugees. (Department of State)

Aug. — The Chetniks burned down houses, threw grenades, and planted bombs in Montenegro, according to refugee Ms. Medina, who was recorded on 21 May by the Carinthian provincial government of Austria. (Department of State)

June — Yugoslav military aircraft bombed a tobacco factory in the Bosnian town of Grude to stunt the struggling economy, according to a United States Senate staff report. (Congress)

26 May — On 26 May, the 200-year-old mosque of Prijedor was destroyed. (Magyar Szo)

Apr. — In a letter to the United States Secretary of State dated 1 May, Professor Muhamed Dresevljakovic, the mayor of Sarajevo, wrote that militant parts of the Serbian Democratic Party had destroyed "civil sections, vital economy and communal buildings, schools and nursery schools, monuments of culture, boards of health, sacred monuments". The mayor begged, "Don't let Sarajevo become a second Vukovar, Bosanski Brod or Foca - cities vanished from the face of the Earth." (Department of State)

Mar.-July — The Croatian city of Slavonski Brod has been hit by over 10,000 artillery rounds, bombs, mortars, and ground-to-ground rockets since March. As of 16 July, over 70 civilians had been killed, including 18 children, and over 200 wounded. The 3,000 buildings that had been damaged included 15 per cent of the local residential housing. (Department of State)

OTHER, INCLUDING MASS FORCIBLE EXPULSION AND DEPORTATION OF CIVILIANS

3 Sep. — Almost 200 judges were dismissed from positions in Kosovo because of their Albanian ethnic identity. (Department of State)

1 Sep. — Inmates in the Manjaca camp, south of Banja Luka and operated by the Bosnian Serb army, are civilians arrested because of their ethnic identity, according to United States Embassy sources in Banja Luka. (Department of State)

24 Aug. — A resident of Pososje was taken by Serbs and, with other persons, robbed and turned loose near Muslim lines at Travnik. (Reuters)

20 Aug. — More than 1,500 primarily Muslim refugees were forced to leave the north-western Bosnian town of Sanski Most and travel through the night - many by foot - to Travnik. Along the way, more than 40 of their vehicles were stolen. (Associated Press)

4 Aug. — Serbian Democratic Party strategy is to expel Muslim Slavs from most of Bosnia, according to the United States Embassy in Belgrade. The Serbian Democratic Party campaign of ethnic cleansing is causing misery and death for large numbers of Bosnian Muslims. (Department of State)

2 Aug. Albanian leaders described the Serbian intention of changing the ethnic balance in Kosovo. Since 1989, over 100,000 Albanians have been deprived of their jobs. This fall, 64,000 Albanian secondary school students may boycott classes, refusing a required Serbian curriculum. (Department of State)

8 July Ethnic Muslims were forced from the district of Gacko, on the southern border with Montenegro. (Department of State)

24 June Serbian Democratic Party/JNA forces drove non-Serbs, as well as Serbs married to Muslims or Croats and Serbs who were "disloyal", out of their homes. Those expelled were given as little as 30 minutes to gather their belongings. (Department of State)

9 June Serb paramilitaries who had taken control of the Muslim-majority districts of Zvornik, Srebrenica, Bratunac, and Vlasenica were systematically expelling Muslims. Muslims in the settlement of Grobnica, near Zvornik, were given a 24-hour ultimatum to leave, and were not being allowed to carry any possessions with them. The nearby town of Kozluk, whose population of 6,000 was predominantly Muslim, was under Serbian Democratic Party occupation and "cleansed" as well. (Department of State)

4 June The "war presidency" has been established following the Serb paramilitary occupation of Visegrad. Much of the district's Muslim population has fled and the Serbs have been confiscating the property of "all those citizens whose return to the territory of the Visegrad district has been forbidden". The "war presidency" has been inviting "Serb refugees from other areas" to move into vacant homes in Visegrad. (Department of State)

2 June Serb paramilitaries have destroyed neighbourhoods with large Muslim populations and killed some people in the towns of Sanski Most and Prijedor, in north-western Bosnia. An office of emigration was established in Banja Luka to "facilitate" population transfers, since "more and more citizens of all nationalities want to change their place and area of residence". (Department of State)

17 Mar. A source close to Bosnian President Izetbegovic suggested that the upsurge of violence in Bosnia and Herzegovina was coordinated by the Serbian Democratic Party and others, perhaps including the Croatian Democratic Union, and the army. The army reportedly had provided arms to the Serb militants in Bosanski Brod, Zenica, Kalinovik and near Sarajevo. (Department of State)